

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, claims 1-11, and the abstract of the disclosure have been amended. Claims 1-11 remain pending in the application. Claims 1 and 6 are independent. The objection and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). The claims have been amended to overcome each ground of rejection under 35 U.S.C. § 112, second paragraph, and in general to more fully comply with U.S. practice.

Entry of each of the amendments is respectfully requested.

35 U.S.C. § 103(a) - Hirata

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over "Applicant's admitted prior art" in view of U.S. Patent No. 6,856,855 to Hirata et al. (hereinafter "Hirata"). In relying upon the disclosure of Hirata (column 3, lines 1-19;

column 7, lines 1-12), the examiner asserts that "at the beginning of production the control is carried out at short cycles, therefore measured values at the beginning or start of production are heavily weighted than during stable production or normal operation" (Office Action pages 4-5).

The rejection of claims 1-11 under § 103(a) based on the combined disclosures of prior art described in the background section of the instant specification and Hirata is respectfully traversed. The asserted combination of disclosures would not have rendered obvious Applicants' claimed invention because the combination does not disclose each feature of the claimed invention.

Applicants' claim 1 defines a process that includes the feature of providing statistical values in relation to previously measured film thickness values, with recently measured values obtained during a predetermined time-frame at the start of the extrusion process being more heavily weighted by the computer than those values measured during the normal operation.

Applicants first respectfully submit that in paraphrasing the language of Applicants' claim 1, the examiner unfairly characterizes the teaching of Hirata. Hirata actually discloses at column 7, lines 9-12, that "[f]or example, in the beginning of production, the control can be carried out at short cycles, and during stable production, the control can be carried out at long cycles."

Hirata teaches (column 7, lines 1-12) that the control time interval is the time taken for the thickness gauge to measure the thickness distribution of the sheet in the transverse direction. According to Applicants' understanding, this means that every complete movement of the thickness gauge in the direction perpendicular to the moving direction of the sheet defines a time interval or a cycle.

Further, as quoted above, Hirata teaches that in the beginning of the production, the control can be carried out at short cycles, and that during stable production, the control can be carried out at long cycles. Carrying out the control at short cycles can only mean that the thickness gauge moves with higher velocity across the sheet relative to its velocity during stable production. This means that in the same time interval more measuring data are acquired, but that the time used for measuring one point of the sheet is reduced compared to the (longer) measurements during the stable production. For example, if one measurement at a long cycle takes 10 seconds and if short cycles only need half the time of a long cycles, then within the time interval needed for one long cycle, two short-cycle-measurements can be performed, each one taking five seconds of time. These two measurements are performed on different spots of the sheet, but the total acquiring time is the same (i.e., 10 seconds). These shorter measurements are, however, less precise than longer measurements. The advantage of shorter measurements is that the sheet is

controlled more often in order to "see" better whether the thickness has changed.

Applicants' claimed process, however, is different from that which results from the examiner's asserted combination of disclosures. First, according to Hirata, the cycles are performed by the thickness gauge. Shorter or longer cycles mean that the moving speed of the thickness gauge is higher or lower. According to Applicants' claimed invention, however, the weighting of the measured values is performed only by the computer.

Second, Hirata's approach of taking more measurements at shorter cycles has nothing to do with Applicants' claimed process feature of more heavily weighting the measured values. Instead, Hirata's method is based on dividing the time that is available on a multitude of cycles. This, however, simply results in shorter and less precise measurements.

Conversely, the idea upon which Applicants' invention is based is that the performance of the measurements (i.e., the acquisition time, etc.) is not changed so as to not lessen the quality of the measured values. Therefore, according to Applicants' claimed process, there is no shortening of the cycle time.

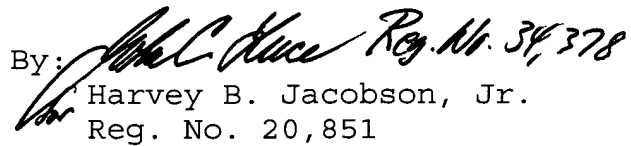
Accordingly, the combined disclosures of the prior art described in the background section of the instant specification and Hirata would not have rendered obvious the invention defined by any of Applicants' claims 1-11.

U.S. Appln. No.: 10/541,355
Atty. Docket No.: P70705US0

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:  Reg. No. 34,378
Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, N. W.
Washington, D.C. 20004
Telephone: (202) 638-6666
Date: October 2, 2008